

Atty. Dkt. No. 084335-0134  
 Appl. Ser. No. 09/806,462

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Koji KIGAWA et al.

Title: METHOD FOR PREPARING  
 HIGH PERFORMANCE RECA-  
 LIKE RECOMBINASE/SINGLE-  
 STRANRDR NUCLEIC ACID  
 PROBE COMPLEX AND  
 UTILIZATION THEREOF

Appl. No.: 09/806,462

Filing Date: 03/22/2002

Examiner: Strzelecka, Teresa E.

Art Unit: 1637

**CERTIFICATE OF PATENTMATERIAL TRANSMISSION**  
 I hereby certify that this paper is being facsimile transmitted to the  
 United States Patent and Trademark Office, Alexandria, Virginia  
 on the date below.

Deborah A. Konowalek  
 (Printed Name)

*[Signature]*  
 (Signature)

January 11, 2005  
 (Date of Deposit)

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
 OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated July 22, 2004, finally rejecting Claims 1, 3-9, 13 and 24.

Enclosed herewith is a petition for an extension of time under 37 C.F.R. §1.136(a) for a Response filed within the third month. The fees for the extension of time and the Notice of Appeal have been authorized to be charged to Deposit Account No. 19-0741 as indicated in the Amendment Transmittal provided herewith.

Respectfully submitted,

Date 1/11/05

By M. Scott McBride

FOLEY & LARDNER LLP  
 Customer Number: 22428

M. Scott McBride  
 Attorney for Applicants  
 Registration No. 52,008  
 Telephone: (414) 297-5529  
 Facsimile: (414) 297-4900